

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.2089 of 2018

and

W.M.P.No.2602 of 2018

V.Irusappan

... Petitioner

Vs.

1.The Superintendent of Prisons,
Central Prison,
Cuddalore.

2.The Superintendent of Prison,
Central Prison Puzhal-I,
Puzhal, Chennai 600 066.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to transfer the petitioner from Central Prison, Cuddalore to Central Prison-I, Puzhal, Chennai with immediate effect enabling him to take treatment for his prolonged illness due to the multiple grievous injuries throughout his body.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mrs.R.Krishnapriya
Additional Government Pleader

ORDER

The prayer in the present petition is to direct the first respondent to transfer the petitioner from Central Prison, Cuddalore to Central Prison-I, Puzhal, Chennai with immediate effect enabling him to take treatment for his prolonged illness due to the multiple grievous injuries throughout his body.

2. The petitioner who is a life convict is alleged to have sustained multiple injuries, for which purpose, he underwent many surgeries in the Government Hospital, Royapettah and Super Speciality Hospital, Chennai. Subsequently, on 08.12.2016, the petitioner claims to have been shifted to Central Prison, Cuddalore. Complaining of further ailment and that there was no proper facilities in the Government Hospital, Cuddalore to provide treatment for the petitioner, he sought for transfer from Central Prison, Cuddalore to Central Prison, Puzhal, Chennai, to enable him, to have treatment in the hospital in Chennai.

3. The learned Additional Government Pleader, by relying upon the counter affidavit filed by the first respondent submitted that the petitioner is on regular treatment at Government Head Quarters Hospital, Cuddalore.

4. On a perusal of the counter affidavit, it is seen that the first respondent has stated that the petitioner was diagnosed to be suffering from POST-TRAUMATIC AMPUTATION STATUS OF RIGHT INDEX FINGER AND LEFT AND LATERAL FINGERS CONSERVATIVE MANAGEMENT with C/O inability to use both hands and restriction of movement of right hand.

5. It is further stated in the counter that though the petitioner was admitted in Government Royapettah Hospital on 22.11.2016, he was discharged from hospital on 24.11.2016, since he refused to take any form of investigation and treatment. However, it is now seen from the affidavit filed by the petitioner that the petitioner is willing to have treatment at Government Hospital, Chennai. Taking into account, the medical condition of the petitioner as well as the petitioner's willingness to have the treatment at Chennai, it would be appropriate to direct the first respondent, to present the petitioner before the Government Roayapettah Hospital, Chennai forthwith.

6. In the result, the Writ Petition stands disposed of with the above direction to the first respondent to immediately transfer the petitioner from Central Prison, Cuddalore to Central Prison-I, Puzhal, Chennai and further refer him to the Government Royapettah Hospital, Chennai for treatment.

Such an exercise shall be done within a period of two days from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

09.03.2018

Index :Yes/No
Internet : Yes/No
dna

Note: Issue order copy on 09.03.2018 (Today)

To

1.The Superintendent of Prisons,
Central Prison,
Cuddalore.

2.The Superintendent of Prison,
Central Prison Puzhal-I,
Puzhal, Chennai 600 066.

M.S.RAMESH.J,

dna

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